

(2) The application of emission control theory and diagnostic data to the diagnosis and repair of failures on the transient emission test and the evaporative system functional checks;

(3) Utilization of diagnostic information on systematic or repeated failures observed in the transient emission test and the evaporative system functional checks; and

(4) General training on the various subsystems related to engine emission control.

(d) *SIP requirements.* The SIP shall include a description of the technical assistance program to be implemented, a description of the procedures and criteria to be used in meeting the performance monitoring requirements of this section, and a description of the repair technician training resources available in the community.

§ 51.370 Compliance with recall notices.

States shall establish methods to ensure that vehicles subject to enhanced I/M and that are included in either a "Voluntary Emissions Recall" as defined at 40 CFR 85.1902(d), or in a remedial plan determination made pursuant to section 207(c) of the Act, receive the required repairs. States shall require that owners of recalled vehicles have the necessary recall repairs completed, either in order to complete an annual or biennial inspection process or to obtain vehicle registration renewal. All recalls for which owner notification occurs after January 1, 1995 shall be included in the enhanced I/M recall requirement.

(a) *General requirements.* (1) The State shall have an electronic means to identify recalled vehicles based on lists of VINs with unresolved recalls made available by EPA, the vehicle manufacturers, or a third party supplier approved by the Administrator. The State shall update its list of unresolved recalls on a quarterly basis at a minimum.

(2) The State shall require owners or lessees of vehicles with unresolved recalls to show proof of compliance with recall notices in order to complete either the inspection or registration cycle.

(3) Compliance shall be required on the next registration or inspection date, allowing a reasonable period to comply, after notification of recall was received by the State.

(b) *Enforcement.* (1) A vehicle shall either fail inspection or be denied vehicle registration if the required recall repairs have not been completed.

(2) In the case of vehicles obtaining recall repairs but remaining on the updated list provided in paragraph (a)(1) of this section, the State shall have a means of verifying completion of the required repairs; electronic records or paper receipts provided by the authorized repair facility shall be required. The vehicle inspection or registration record shall be modified to include (or be supplemented with other VIN-linked records which include) the recall campaign number(s) and the date(s) repairs were performed. Documentation verifying required repairs shall include the following:

(i) The VIN, make, and model year of the vehicle; and

(ii) The recall campaign number and the date repairs were completed.

(c) *Reporting requirements.* The State shall submit to EPA, by July of each year for the previous calendar year, an annual report providing the following information:

(1) The number of vehicles in the I/M area initially listed as having unresolved recalls, segregated by recall campaign number;

(2) The number of recalled vehicles brought into compliance by owners;

(3) The number of listed vehicles with unresolved recalls that, as of the end of the calendar year, were not yet due for inspection or registration;

(4) The number of recalled vehicles still in non-compliance that have either failed inspection or been denied registration on the basis of non-compliance with recall; and

(5) The number of recalled vehicles that are otherwise not in compliance.

(d) *SIP submittals.* The SIP shall describe the procedures used to incorporate the vehicle lists provided in paragraph (a)(1) of this section into the inspection or registration database, the quality control methods used to insure that recall repairs are properly documented and tracked, and the method

(inspection failure or registration denial) used to enforce the recall requirements.

§51.371 On-road testing.

On-road testing is defined as the measurement of HC, CO, NO_x, and/or CO₂ emissions on any road or roadside in the nonattainment area or the I/M program area. On-road testing is required in enhanced I/M areas and is an option for basic I/M areas.

(a) *General requirements.* (1) On-road testing is to be part of the emission testing system, but is to be a complement to testing otherwise required.

(2) On-road testing is not required in every season or on every vehicle but shall evaluate the emission performance of 0.5% of the subject fleet statewide or 20,000 vehicles, whichever is less, including any vehicles that may be subject to the follow-up inspection provisions of paragraph (a)(4) of this section, each inspection cycle.

(3) The on-road testing program shall provide information about the emission performance of in-use vehicles, by measuring on-road emissions through the use of remote sensing devices or roadside pullovers including tailpipe emission testing. The program shall collect, analyze and report on-road testing data.

(4) Owners of vehicles that have previously been through the normal periodic inspection and passed the final retest and found to be high emitters shall be notified that the vehicles are required to pass an out-of-cycle follow-up inspection; notification may be by mailing in the case of remote sensing on-road testing or through immediate notification if roadside pullovers are used.

(b) *SIP requirements.* (1) The SIP shall include a detailed description of the on-road testing program, including the types of testing, test limits and criteria, the number of vehicles (the percentage of the fleet) to be tested, the number of employees to be dedicated to the on-road testing effort, the methods for collecting, analyzing, utilizing, and reporting the results of on-road testing and, the portion of the program budget to be dedicated to on-road testing.

(2) The SIP shall include the legal authority necessary to implement the on-

road testing program, including the authority to enforce off-cycle inspection and repair requirements.

(3) Emission reduction credit for on-road testing programs shall be granted for a program designed to obtain significant emission reductions over and above those already predicted to be achieved by other aspects of the I/M program. The SIP shall include technical support for the claimed additional emission reductions.

§51.372 State Implementation Plan submissions.

(a) *SIP submittals.* The SIP shall address each of the elements covered in this subpart, including, but not limited to:

(1) A schedule of implementation of the program including interim milestones leading to mandatory testing. The milestones shall include, at a minimum:

(i) Passage of enabling statutory or other legal authority;

(ii) Proposal of draft regulations and promulgation of final regulations;

(iii) Issuance of final specifications and procedures;

(iv) Issuance of final Request for Proposals (if applicable);

(v) Licensing or certifications of stations and inspectors;

(vi) The date mandatory testing will begin for each model year to be covered by the program;

(vii) The date full-stringency cutpoints will take effect;

(viii) All other relevant dates;

(2) An analysis of emission level targets for the program using the most current EPA mobile source emission model or an alternative approved by the Administrator showing that the program meets the performance standard described in §51.351 or §51.352 of this subpart, as applicable;

(3) A description of the geographic coverage of the program, including ZIP codes if the program is not county-wide;

(4) A detailed discussion of each of the required design elements, including provisions for Federal facility compliance;